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10/630,162

07/30/2003

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EXAMINER

POPHAM, JEFFREY D

ART UNIT

PAPER NUMBER

2137

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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3 MONTHS

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/630,162

Applicant(s)

HUDIS ET AL.

Examiner

Jeffrey D. Popham

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-23 and 33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-32, 34 and 35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Remarks***

Claims 1-35 are pending. Claims 1-23 and 33 are withdrawn from consideration as non-elected, and claims 24-32, 34, and 35 are rejected.

***Election/Restrictions***

1. Applicant's election without traverse of claims 24-32, 34, and 35 in the reply filed on 1/12/2007 is acknowledged.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 34 is rejected under 35 U.S.C. 101 because a computer-readable medium is defined in the specification as being both physical media and signals. In order to be statutory, the computer-readable medium must consist of physical media (e.g. CD-ROM), as opposed to network connections, signals, etc.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

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351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 24, 25, 27-32, 34, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Barnett (U.S. Patent 6,772,157).

Regarding Claim 24,

Barnett discloses in a computer system that includes items stored in at least one volume, the volume being divided into at least one non-overlapping zone, each item residing in a zone from among the at least one non-overlapping zone, each zone having one or more principals with administrative rights, a method of delegating administrative rights to other principals for first items included in a main zone included in the at least one non-overlapping zone, comprising:

An act of identifying the first items in the main zone (Column 6, lines 13-52);

An act of splitting the main zone into a first zone and a remaining main zone, one or more main principals retaining administrative rights for the first zone and the remaining main zone, the first zone including the first items and the remaining main zone including that portion of items in the main zone not included in the first items (Column 6, lines 13-52); and

An act of specifying that one or more first principals also have administrative rights to the first items (Column 6, lines 13-52).

Regarding Claim 34,

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Claim 34 is a computer program product claim that corresponds to method claim 24 and is rejected for the same reasons.

Regarding Claim 35,

Claim 35 is a method claim that is broader than method claim 24 and is rejected for the same reasons.

Regarding Claim 25,

Barnett discloses that specifying the one or more first principals is performed by the one or more main principals (Column 6, lines 13-52).

Regarding Claim 27,

Barnett discloses the administrative rights being security rights (Column 6, lines 13-65; and Column 8, lines 8-34).

Regarding Claim 28,

Barnett discloses the administrative rights being auditing rights (Column 6, lines 13-65; and Column 8, lines 8-34).

Regarding Claim 29,

Barnett discloses the act of specifying security rules for the first zone after the act of splitting (Column 6, lines 13-65; and Column 8, lines 8-34).

Regarding Claim 30,

Barnett discloses an act of specifying security rules for the first zone by defaulting security rules that were from the main zone prior to the act of splitting (Column 5, line 35 to Column 6, line 65).

Regarding Claim 31,

Barnett discloses an act of re-combining the first zone and the remaining main zone (Column 6, lines 53-65; Column 12, line 45 to Column 13, line 8).

Regarding Claim 32,

Barnett discloses a subsequent remaining zone, the subsequent remaining zone formed from splitting the remaining main zone, wherein the administrative principals of the subsequent remaining main zone are the administrative principals in the main zone, comprising an act of re-combining the first zone and the subsequent remaining main zone (Column 6, lines 13-65; Column 12, line 45 to Column 13, line 8).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barnett in view of Anglin (U.S. Patent Application Publication 2004/0199521).

Barnett does not explicitly disclose an act of labeling the first items with a zone enumeration corresponding to the first zone.

Anglin, however, discloses an act of labeling the first items with a zone enumeration corresponding to the first zone (Paragraphs 19, 24, and 25). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the group management system of Anglin into the delegated administration system of Barnett in order to explicitly associate items with their appropriate zone, as well as to associate a zone entry with all of the items that belong to that zone, thereby increasing ease of viewing, management, and use of the system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham  
Examiner  
Art Unit 2137

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER